

REMARKS / ARGUMENTS

The Applicant thanks the Office for the careful consideration given to his application in the communication mailed 09/20/2006. In that communication, the Office required restriction under 35 U.S.C. 121 and 372 to one of the following groups of claims:

- I. Claims 1 – 2
- II. Claims 3 – 14 & 24
- III. Claims 15 – 18
- IV. Claims 19 – 23.

In reply, the Applicant elects Group II, Claims 3 – 14 & 24.

The Office objected to the application by requiring the Applicant to supply a new drawing showing the various embodiments of claim 12, or deletion. In reply, Applicant cancels claim 12.

Also in that communication mailed 09/20/2006, the Office objected to, and rejected under 35 U.S.C. § 112 second paragraph, claim 5 – 8 for a grammatical error. Claims 3 – 5, and 7 – 12 were rejected under 35 U.S.C. § 102(b) as being anticipated by Taylor (4,966,311). Claim 24 was rejected under 35 U.S.C. § 102(e) as being anticipated by Madison et al. (6,499,937). Claims 3 – 14 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Taylor in view of Madison et al.

Regarding the rejection and objection to claims 5 – 8, the Applicant has amended claims 5 – 7 to insert the proposition “between” after the word “disposed” so that the claims are now grammatically correct. The Applicant’s attorney could not find the grammatical error in claim 8, and suggests that it may have proper grammar as filed.

Regarding the rejection of claim 24, please note that this claim is hereby canceled.

Applicant has amended the remaining independent claims 3 and 14 to require an I-beam secured at the top of the frame. The I-beam makes it possible to load and unload bulk bags without requiring any hardware that would extend

outside the envelope of the frames. It is a space-saving and money-saving feature that makes the invention patentably distinct from the cited references. Because of these amendments, the Applicant suggests that claims 3 – 5 and 7 – 12 are novel and non-obvious.

Applicant also points out that the Office has not made a prima facie case of obviousness. The Office has not shown any motivation or suggestion in the Taylor and Madison references to combine them to make the claimed invention. Applicant also points out that Madison is not in the same field as the present application. Madison teaches a system for handling railroad spikes. In contrast, the present application is in the field of handling bulk and semi-bulk bags. A person in the field of handling bulk materials would not look to the railroad technologies for a solution. Therefore, Madison is also non-analogous art.

For the above reasons, the Applicant respectfully requests reconsideration. The Office is encouraged to telephone the Applicant's attorney to resolve any remaining issues to bring about a speedy allowance.

Respectfully submitted,
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Date: December 11, 2006
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